IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 27046 of 2007(T)

PETITIONER:

V.K.OUSEPH, UPASANA, VELUKARAN HOUSE,
L.F.C,ROAD,KALOOR, KOCHI-17.

BY ADV. SRI.FEBIN J.VELUKARAN

RESPONDENTS:

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1. THE STANDING COMMITTEE (TAXATION)
CORPORATION OF COCHINREP. BY ITS CHAIRMAN,
PARK AVENUE, KOCHI-682 011.

2. THE SECRETARY, CORPORATION OF COCHIN,
PARK AVENUE, KOCHI-682 011.

BY SC SRI.S.RAMESH BABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 27046 of 2007

Dated this the 8th day of October , 2007

JUDGMENT

It is submitted on behalf of Sri.S.Ramesh Babu, the learned Standing Counsel for the respondent Corporation that the petitioner is right in his submission that the Tribunal for Local Self Government Institutions has specifically directed that a fresh decision shall be taken in the appeal, by the first respondent committee itself. Under these circumstances, I am of the view that Exts.P7 and P8 notices issued by the Revenue Officer of the Corporation proposing to decide the appeal is beyond the Revenue Officer's competence. I dispose of the writ petition issuing the following directions:

The first respondent – Standing Committee (Taxation) shall take up the appeal preferred by the petitioner and decide that appeal strictly in conformity with the directions issued by the Tribunal in Ext.P1 order. The appeal shall be decided by the first respondent in accordance with law after hearing the petitioner at the earliest and at any rate within a period of one month of receiving a copy of this judgment. The order to be passed by the first respondent shall be a

reasoned one referring to the grounds raised in the appeal memorandum and also the submissions which may be addressed during hearing.

PIUS C. KURIAKOSE,

JUDGE.

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